

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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AMERICAN EMPIRE SURPLUS LINES
INSURANCE COMPANY,

Plaintiff,

-against-

KAD CONSTRUCTION CORP, RCMC
CORPORATION, FMC CONSTRUCTION CORP.,
GCL GROUP INC., ACC NY, INC., GREEN
RECYCLING AND CONSTRUCTION CORPORATION,
TRINITY DEVELOPMENT NY, LLC, DEEBA INC.,
AURASH CONSTRUCTION CORP., CAD
INDUSTRIES LLC DBA KAD CONSTRUCTION,
and ELITE BUILDING CONSTRUCTION LLC
DBA MCF CONSTRUCTION,

Defendants.
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: Docket No.: 23-CV-09653
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: **NOTICE OF DISMISSAL**
: **WITHOUT PREJUDICE AS TO**
: **FMC CONSTRUCTION CORP.**

PLEASE TAKE NOTICE that, pursuant to Rule 41(a)(1) of the Federal Rules of Civil Procedure, plaintiff, American Empire Surplus Lines Insurance Company, dismisses without prejudice the above referenced action as to defendant, FMC Construction Corp.

Dated: Melville, New York
January 4, 2024

L'ABBATE, BALKAN, COLAVITA
& CONTINI, L.L.P.

Maureen E. O'Connor

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